

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KOBE PINKNEY,

Civil Action No.: 1:19-CV-00167-RAL

Plaintiff,

v.

MEADVILLE, PENNSYLVANIA; POLICE  
CHIEF MICHAEL J. TAUTIN; PATROLMAN  
JARED FRUM; ALLEGHENY COLLEGE;  
SERGEANT WILLIAM MERCHBAKER;  
FIRST ASSISTANT DISTRICT ATTORNEY  
PAULA DIGIACOMO; MEADVILLE  
TRIBUNE; COMMUNITY NEWSPAPER  
HOLDINGS, INC.; and KEITH GUSHARD,

Defendants,

**THE MEDIA DEFENDANTS' MOTION TO DISMISS  
COUNTS VII AND IX, WITH PREJUDICE**

Now come Defendants, Meadville Tribune, Community Newspaper Holdings, Inc., and Keith Gushard (collectively, the "Media Defendants"), by and through their undersigned counsel, and move this Court under Fed. R. Civ. P. 12(b)(6) to dismiss those claims against them, Counts VII and IX, with prejudice, for failure to state a claim for the reasons set forth in detail in the accompanying brief.

Respectfully submitted,

Date: August 21, 2019

/s/Charles Kelly

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*Community Newspaper Holdings, Inc., and*

*Keith Gushard*